

**MINUTES OF  
MISSISSIPPI TORT CLAIMS BOARD  
THURSDAY, SEPTEMBER 11, 2014**

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The Mississippi Tort Claims Board (Board) meeting was held at 1:30 p.m. in Room 138, Woolfolk State Office Building; 501 North West Street; Jackson, Mississippi.

The following members were present, constituting a quorum:

P. Ryan Beckett, Chairman

Causey, Kim; Representing Insurance Commissioner Mike Chaney, MS Insurance  
Department

Jackson, Laura; Deputy State Treasurer, Representing Treasurer Lynn Fitch

Upchurch, Kevin; Executive Director, MS Department of Finance and Administration

Also present were:

Burkhalter, Chris; Bickerstaff, Whatley, Ryan & Burkhalter

Kelly, Trina; Tort Claims Board

Logan, Jim; Tort Claims Board

McElroy, Lea Ann; Tort Claims Board

Preziosi, Misti; Office of the State Treasurer

Stephenson, Matt; Bickerstaff, Whatley, Ryan & Burkhalter

Wells, Lisa; Cannon Cochran Management Services, Inc.

Wilson, Jeff; Trinity Capital

Woodcock, J. D. "Woody"; Attorney General's Office

Motion was made by Mr. Upchurch to approve the minutes of the July 10, 2014, meeting. Mrs. Jackson seconded the motion, which passed unanimously.

In Old Business, Mrs. McElroy provided the Board with Speaker Gunn's letter naming Representative Mark Baker as the House designee to the Board.

In New Business, Mrs. McElroy presented a recommendation to contract with Tim Farley of Farley Management, Inc. for an independent audit of our claim files. Mr. Upchurch made a motion to approve the contract. Mrs. Causey seconded the motion, which passed unanimously. During discussion, Board members expressed the desire for a policy setting the frequency for claim file audits. Mrs. McElroy will bring a proposal to the Board in November.

Mr. Logan presented financial reports for fiscal years 2014 and 2015 through August 31, 2014. The Cash Flow Analysis details total expenditures for FY15 of \$1.1 million. Total funds of \$13.6 million breakdown by account with \$1 million in the Treasury, \$238,596 in the Trustmark TPA account, and \$12.34 million in investments. Mr. Logan advised that the fund has \$10.1 million in reserves and \$3.4 million in unencumbered funds. Claims paid in FY15

total \$471,007. We have paid 166 claims, and there are 685 open claims. The average claim paid is \$2,837 and the average reserve is \$14,839. Mr. Logan then reviewed the Budget Comparison by category for fiscal year 2015. Lapse period expenses totaled \$173,217 closing out fiscal year 2014.

Mr. Wilson presented the investment report through August 2014. The portfolio currently has \$12.7 million invested with a market value of \$12.5 million. The investment is earning 2.18% on the book value, and the internal year-to-date rate of return is 1.35% for the calendar year. The weighted average life of the portfolio is just under 2.5 years. The portfolio has earned just over \$148,000 for calendar year 2014, and just over \$20,000 for fiscal year 2015. Mr. Wilson also reviewed the Performance Report for the Board.

Mrs. Preziosi presented a recommended Investment Policy to the Board, which included investment objectives, Investment Manager procedures, performance expectations, portfolio requirements, allowable investments, reporting requirements, and restrictions. Following discussion including Mr. Wilson, Mr. Upchurch made a motion to adopt the policy with the addition of language that “The State Treasurer may choose to hire investment advisors with the approval of the Tort Claims Board.” The policy will be reviewed by the Board annually. Mrs. Causey seconded the motion, which passed unanimously. The Chairman thanked the Treasurer’s Office for their work on the policy and for working with Jeff Wilson.

Lastly, Mrs. McElroy provided the responses to the Joint Legislative Budget Committee’s FY 2016 Budget Request Summary for information.

In Mr. Milner’s absence, Mrs. McElroy provided members a report of his Loss Control activities since the last Board meeting. She also noted a State Fair Planning Meeting September 25<sup>th</sup> and State Fair duty October 1-12.

Mrs. McElroy presented one (1) attorney for inclusion on the approved Attorney Register: W. Lee Watt of Gibbs Whitwell & Travis. He does meet the eligibility requirements of the Board and staff recommends approval. Mr. Upchurch moved to approve and Mrs. Jackson seconded. The motion passed unanimously.

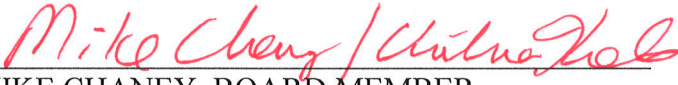
Mrs. McElroy presented a list of 67 political subdivisions with the recommendation that all be approved for renewal of Certificates of Coverage. Mr. Upchurch made a motion to approve the list and Mrs. Jackson seconded the motion, which passed by unanimous vote.

In the absence of Mr. Donaldson, Mrs. McElroy reviewed the case of William Buckley v. MS Department of Transportation and the settlement recommendation reached through mediation. Following discussion, Mr. Upchurch made a motion to approve settlement authority of \$200,000. Mrs. Causey seconded the motion, which passed by unanimous vote.

There being no further business to come before the Board, the meeting was adjourned.



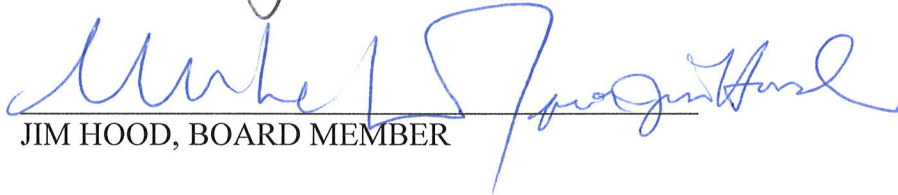
P. RYAN BECKETT, CHAIRMAN



MIKE CHANEY, BOARD MEMBER

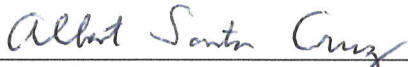


LYNN FITCH, BOARD MEMBER



JIM HOOD, BOARD MEMBER

GARY RIKARD, BOARD MEMBER



ALBERT SANTA CRUZ, BOARD MEMBER

by James W. Young, Jr.



KEVIN J. UPCHURCH, BOARD MEMBER

**Mississippi Tort Claims Board**  
**Thursday, September 11, 2014 – 1:30 P.M.**

**AGENDA**

- I.** Approval of Minutes
  - A. July 10, 2014
- II.** Old Business
  - A. Speaker's Letter
- III.** New Business
  - A. Claims Audit Contract
- IV.** Financial Reports
  - A. Financial Report – Jim Logan
  - B. Investment Report – Jeff Wilson
  - C. Investment Policy
  - D. Joint Legislative Budget Committee Q&A
- V.** Loss Control – Steve Milner
- VI.** Attorney General's Report – Lea Ann McElroy
- VII.** Certificates of Coverage – Lea Ann McElroy
- VIII.** Claims Report – Bruce Donaldson
  - A. William Buckley vs. Mississippi Department of Transportation
- IX.** Adjournment

*Next meeting date and time: November 13, 2014 – 1:30 P.M.*  
*Meeting location: Suite 138, Conference Center North, Woolfolk Building, Jackson, MS*

**MINUTES OF  
MISSISSIPPI TORT CLAIMS BOARD  
THURSDAY, JULY 10, 2014**

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The Mississippi Tort Claims Board (Board) meeting was held at 1:30 p.m. in Room 138, Woolfolk State Office Building; 501 North West Street; Jackson, Mississippi.

The following members were present, constituting a quorum:

P. Ryan Beckett, Chairman  
Jackson, Laura; Deputy State Treasurer, Representing Treasurer Lynn Fitch  
Eads, Jay; Representing Insurance Commissioner Mike Chaney, MS Insurance  
Department  
Lanford, Mike; Deputy Attorney General, Representing Attorney General Jim Hood  
Upchurch, Kevin; Executive Director, MS Department of Finance and Administration

Also present were:

Baker, Representative Mark; House of Representatives  
Buford, David; Institutions of Higher Learning  
Burkhalter, Chris; Bickerstaff, Whatley, Ryan & Burkhalter  
Burns, John; Cannon Cochran Management Services, Inc.  
Donaldson, Bruce; Tort Claims Board  
Kelly, Trina; Tort Claims Board  
Logan, Jim; Tort Claims Board  
McElroy, Lea Ann; Tort Claims Board  
Milner, Steve; Tort Claims Board  
Stephenson, Matt; Bickerstaff, Whatley, Ryan & Burkhalter  
Wells, Teresa; Tort Claims Board  
Wilson, Jeff; Trinity Capital  
Woodcock, J. D. "Woody"; Attorney General's Office  
Younger, Jim; Department of Public Safety

The Chairman welcomed Representative Baker, appointed to the Board by Speaker of the House Phillip Gunn, who was participating in the meeting via telephone. *[The call was cut off during the actuarial report in New Business.]*

Motion was made by Mr. Lanford to approve the minutes of the May 8, 2014, meeting. Mr. Eads seconded the motion, which passed unanimously.

In Old Business, Mrs. McElroy updated the Board on the progress of the Mississippi School Boards Association Casualty Trust. Fifteen (15) school districts have signed on, reflecting about 25% of their original estimate. Premiums and exposure numbers stay true to that percentage as well.

In New Business, Chris Burkhalter, the Board's actuary, presented his report reviewing fiscal year 2014 and providing funding recommendations for fiscal year 2015. The claim count for FY2014 was 947 – the lowest in our history. The expense ratio of 26% compares favorably to commercial insurance markets (35-40%). However, reserves are up meeting 100% of current assets. The assessment recommendations are higher than last fiscal year at \$4.6 million (low), \$5.0 million (central), and \$5.7 million (high). Based on these numbers, the staff's recommendation for the fiscal year 2015 assessment to state agencies is the central figure of \$5.0 million. Following discussion, Mr. Upchurch made the motion to accept the recommendation of \$5.0 million. Mr. Lanford seconded the motion, which passed by unanimous vote.

Also under New Business, Mr. Jim Logan presented the Budget Request for Fiscal Year Ending June 30, 2016. The 2016 request is a level-funding request of the appropriation for fiscal year 2015. Mr. Upchurch made a motion to approve the Budget Request, and Mr. Lanford seconded the motion. The motion passed unanimously.

Mr. Logan then presented the financial report for fiscal year 2014 through June 30, 2014. The Cash Flow Analysis details total receipts of \$5.8 million and total expenditures of \$5.1 million. Total funds of \$14.4 million breakdown by account with \$1.9 million in the Treasury, \$176,876 in the Trustmark TPA account, and \$12.34 million in investments. Mr. Logan advised that the fund has \$9.9 million in reserves and \$4.4 million in unencumbered funds. Expenses include claim payments of \$1.6 million, legal expenses of \$887,950 and other expenses of \$16,550. The average claim paid is \$2,429 and the average reserve is \$15,750. Mr. Logan then reviewed the Budget Comparison by category for fiscal year 2014 noting that we were well within the budget for this time of year.

Mr. Wilson presented the investment report through June 2014. The portfolio currently has \$12.7 million invested with a market value of \$12.4 million, up substantially from last year. The investment is earning 2.19% on the book value, and the internal year-to-date rate of return is 2.00%. The target for this year will be between 2.0–2.25%. The portfolio has earned just over \$250,000 fiscal-year-to-date. Mr. Wilson also reviewed portfolio composition and maturity distribution charts for the Board.

Mr. Milner provided members a report of his Loss Control activities since the last Board meeting.

Mrs. McElroy presented two (2) attorneys for inclusion on the approved Attorney Register: Nicholas D. Garrard of Wilkins Patterson Smith Pumphrey & Doty, P.A.; and Angela D. Williams of Gibbs Whitwell. Both meet the eligibility requirements of the Board and staff recommends approval. Mr. Lanford moved to approve and Mr. Eads seconded. The motion passed unanimously.

Mrs. McElroy presented a list of 320 political subdivisions with the recommendation that all be approved for renewal of Certificates of Coverage. Mr. Lanford made a motion to approve the list and Mr. Eads seconded the motion, which passed by unanimous vote.

Mr. Donaldson reviewed the case of Lee Sanford v. MS Department of Agriculture & Commerce and the settlement recommendation proposal submitted by our defense attorney, Mark Morrison. Following discussion, Mr. Lanford made a motion to approve settlement authority of \$175,000. Mr. Upchurch seconded the motion, which passed by unanimous vote.

As a result of discussion with legal counsel prior to the meeting, Mr. Donaldson did not present the agenda item for "Board Policy Request."

There being no further business to come before the Board, the meeting was adjourned.



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P. RYAN BECKETT, CHAIRMAN



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MIKE CHANEY, BOARD MEMBER

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TRUDY FISHER, BOARD MEMBER



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LYNN FITCH, BOARD MEMBER

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JIM HOOD, BOARD MEMBER

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ALBERT SANTA CRUZ, BOARD MEMBER

Kevin J. Upchurch

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KEVIN J. UPCHURCH, BOARD MEMBER





*Philip Gunn*  
SPEAKER  
*Mississippi House of Representatives*  
POST OFFICE BOX 1018  
JACKSON, MISSISSIPPI 39215-1018  
601-359-3300

June 13, 2014

Representative Mark Baker  
P.O. Box 947  
Brandon, MS 39043

Dear Representative Baker:

I hereby appoint you to serve on the Mississippi Tort Claims Board which is pursuant to Section 11-46-18 of the Mississippi Code. Your term is effective immediately and will run concurrent with this legislative term.

I appreciate your willingness to serve on this board and for the work that you do in the Mississippi House of Representatives for our great state.

Sincerely,

A handwritten signature in cursive script that reads "Philip Gunn".

Philip Gunn  
Speaker of the House

Cc: Governor Phil Bryant  
Lt. Governor Tate Reeves  
Secretary of State Delbert Hosemann  
Secretary of the Senate Liz Welch  
Clerk of the House Andrew Ketchings



**STATE OF MISSISSIPPI**  
GOVERNOR PHIL BRYANT

**MISSISSIPPI TORT CLAIMS BOARD**  
P. RYAN BECKETT, CHAIRMAN

MIKE CHANEY, Commissioner  
Insurance Department  
LYNN FITCH, Treasurer  
Department of Treasury  
JIM HOOD, Attorney General  
Office of Attorney General

GARY RIKARD, Executive Director  
Department of Environmental Quality  
ALBERT SANTA CRUZ, Commissioner  
Department of Public Safety  
KEVIN J. UPCHURCH, Executive Director  
Department of Finance and Administration

**MEMORANDUM**

**TO:** MS Tort Claims Board  
**FROM:** Lea Ann McElroy  
**DATE:** September 11, 2014  
**RE:** Claims Audit Contract

**RECOMMENDATION:** Staff recommends approval of contract as noted.

**Tim Farley & Farley Management, Inc. (FMI)** – This contract is for an independent audit of our liability claim files tentatively scheduled for November 19-21, 2014. The audit will include a review of approximately 50 claims (based on an estimated 200 open claims) handled by our Third Party Administrator, as well as 15-20 minor property damage/glass claims handled in-house by Tort Claims staff. Mr. Farley will review file content, conduct personal interviews, and submit written findings with two weeks of his on-site review. The audit will analyze staffing adequacy, case reserve accuracy, thoroughness of claims investigation, payment/settlement reasonableness, claim handling documentation clarity, timeliness and thoroughness of status reports from CCMSI, litigation management, diary maintenance, effectiveness of supervision, and timeliness of excess reporting. The cost of this contract is a flat fee of \$9,000 which includes all necessary expenses.

**MISSISSIPPI TORT CLAIMS BOARD**  
**Combined Financial Report - Fiscal Year 2015**  
**Fund 3080**

-----CASH FLOW ANALYSIS-----

	<u>July</u>	<u>August</u>	<u>Year-To-Date</u>
<b>REVENUE:</b>			
Assessments Received	0.00	0.00	0.00
Interest	11.56	15.37	26.93
Investment Interest	8,956.55	11,065.64	20,022.19
Transfer In Funds	500,000.00	0.00	500,000.00
<b>Total Revenue</b>	<b>\$ 508,968.11</b>	<b>\$ 11,081.01</b>	<b>\$ 520,049.12</b>
<b>EXPENSES:</b>			
Claim Losses - TCB and TPA	319,550.89	151,456.31	471,007.20
Legal Expenses - TCB and TPA	0.00	51,507.73	51,507.73
Other Expenses - TCB and TPA	3,217.67	1,889.78	5,107.45
Administrative Expenses Paid	46,089.58	65,646.81	111,736.39
Transfer of Funds - Out	500,000.00	0.00	500,000.00
<b>Total Expenses</b>	<b>\$ 868,858.14</b>	<b>\$ 270,500.63</b>	<b>\$ 1,139,358.77</b>
<b>FUNDS ON HAND:</b>			
Beginning Balance	\$ 14,368,203.69	\$ 13,844,163.40	
Revenue	508,968.11	11,081.01	
Expenses	(868,858.14)	(270,500.63)	
Adjustments	(164,150.26)	(9,066.87)	
<b>Total Funds</b>	<b>\$ 13,844,163.40</b>	<b>\$ 13,575,676.91</b>	
Cash in Treasury	\$ 1,128,947.68	\$ 997,671.12	
Investment in Treasury	12,339,410.00	12,339,410.00	
TPA Trustmark Bank Balance	375,805.72	238,595.79	
<b>Total Funds By Account</b>	<b>\$ 13,844,163.40</b>	<b>\$ 13,575,676.91</b>	
Less Reserves	\$ 9,925,862.01	\$ 10,164,685.61	
<b>Unencumbered Funds Available</b>	<b>\$ 3,918,301.39</b>	<b>\$ 3,410,991.30</b>	

-----CLAIMS/RESERVES DETAIL (Year-To-Date)-----

	<b>MTCB</b>	<b>CCMSI</b>	<b>TOTAL</b>
Claims - Payments	\$ 37,822.23	\$ 433,184.97	\$ 471,007.20
Claims - Legal Expenses	51,507.73	-	51,507.73
Claims - Other Expenses	-	5,107.45	5,107.45
<b>Total Paid Out to Date</b>	<b>\$ 89,329.96</b>	<b>\$ 438,292.42</b>	<b>\$ 527,622.38</b>
<b>OUTSTANDING RESERVES</b>	<b>257,798.13</b>	<b>9,906,887.48</b>	<b>10,164,685.61</b>
<b>Total Claims &amp; Reserves</b>	<b>\$ 347,128.09</b>	<b>\$ 10,345,179.90</b>	<b>10,692,307.99</b>
Number of Claims Created	132	96	228
Number of Claims Paid	86	80	166
Total Open Claims	135	550	685
<b>AVG. CLAIM \$ / # CLAIMS PAID</b>	<b>\$439.79</b>	<b>\$5,414.81</b>	<b>\$ 2,837.39</b>
<b>AVG. RESERVE / OPEN CLAIMS</b>	<b>\$1,909.62</b>	<b>\$18,012.52</b>	<b>\$ 14,838.96</b>

NOTE: Information represents combined operations for Treasury Fund 3080 and the Trustmark account (utilized by CCMSI).

**MISSISSIPPI TORT CLAIMS BOARD**

## Budget Comparison Report

Treasury Fund 3080

Fiscal Year 2015

Expenses:	Total Budget	July 2014	August 2014	Year To Date Expenditures	Ending Balance	Percent Expended
A1-Salaries	\$ 555,000.00	\$ 44,733.58	\$ 45,094.93	\$ 89,828.51	\$ 465,171.49	16.19%
A2-Travel	8,000.00	0.00	117.60	117.60	7,882.40	1.47%
B-Contractual	4,727,706.00	963.00	71,102.22	72,065.22	4,655,640.78	1.52%
C-Commodities	8,300.00	387.00	830.99	1,217.99	7,082.01	14.67%
D2-Capital Outlay	3,500.00	0.00	0.00	0.00	3,500.00	0.00%
E-Subsidies	3,819,924.00	521,692.64	16,129.59	537,822.23	3,282,101.77	14.08%
<b>SUBTOTAL</b>	<b><u>\$ 9,122,430.00</u></b>	<b><u>\$ 567,776.22</u></b>	<b><u>\$ 133,275.33</u></b>	<b><u>\$ 701,051.55</u></b>	<b><u>\$ 8,421,378.45</u></b>	<b><u>7.68%</u></b>
TPA Expended		<u>301,081.92</u>	<u>137,225.30</u>	<u>438,307.22</u>		
<b>TOTAL Expended</b>		<b><u>\$ 868,858.14</u></b>	<b><u>\$ 270,500.63</u></b>	<b><u>\$ 1,139,358.77</u></b>		

# MISSISSIPPI TORT CLAIMS BOARD

## Tort Claims Fund (Treasury Fund 3080)

Financial Report - Fiscal Year 2014

### -----CASH FLOW ANALYSIS-----

	July Lapse	August Lapse	YTD Total
<b>REVENUE:</b>			
Assessments Received	\$ -	\$ -	\$ 4,094,232.89
Interest	0.00	0.00	15,790.35
Investment Interest	0.00	0.00	250,148.99
Workers Comp Service Fees	0.00	0.00	21,543.21
Transfer In Funds	0.00	0.00	1,450,000.00
<b>Total Revenue</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 5,831,715.44</b>
<b>EXPENSES:</b>			
Claim Losses - TPA and TCB	0.00	0.00	1,620,395.57
Legal Expenses - TPA and TCB	101,031.26	3,075.87	992,056.69
Other Expenses - TPA and TCB	0.00	0.00	16,549.84
Administrative Expenses Paid	63,119.00	5,991.00	1,156,756.29
Transfer of Funds - Out	0.00	0.00	1,506,075.00
<b>Total Expenses</b>	<b>\$ 164,150.26</b>	<b>\$ 9,066.87</b>	<b>\$ 5,291,833.39</b>
<b>CASH ON HAND:</b>			
Revenue	0.00	0.00	
Expenses	(164,150.26)	(9,066.87)	
<b>Total Cash</b>	<b>\$ (164,150.26)</b>	<b>\$ (9,066.87)</b>	

### -----CLAIMS/RESERVES DETAIL (Year-To-Date)-----

	Tort Board	CCMSI	TOTAL
Claims - Payments	\$ 71,329.66	\$ 1,549,065.91	\$ 1,620,395.57
Claims - Legal Expenses	987,823.69	4,233.00	\$ 992,056.69
Claims - Other Expenses	450.00	16,099.84	\$ 16,549.84
<b>Total Paid FY 2014</b>	<b>\$ 1,059,603.35</b>	<b>\$ 1,569,398.75</b>	<b>\$ 2,629,002.10</b>

NOTE: Information represents combined operations for Treasury Fund 3080 and the Trustmark account (utilized by CCMSI).

# **TRINITY**

TRINITY CAPITAL INVESTORS

September 2, 2014

Mr. Jim Logan  
Mississippi Tort Claims Board  
P O Box 267  
Jackson, MS 39205-0267

Re: August 2014 Portfolio Highlights

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Total Portfolio	Book Value	\$12,716,431
	Market Value	\$12,527,804
YTD Internal Rate of Return		1.35%
Current Portfolio Book Yield		2.18%
Market Yield		2.93%
Weighted Average Life		Approximately 2.46 years
2014 YTD Interest Earned		148,023
2015 Fiscal YTD Interest Earned		20,023
Accrued Interest		57,381

# **PERFORMANCE REPORT** State of Mississippi Tort Claims

August 31, 2014  
Calendar Year

Portfolio Market Value December 31, 2013	11,719,676
Contributions	
Withdrawals	
Realized Gains	
Unrealized Gains	-188,627
Interest / Dividends	148,023
Portfolio Market Value August 31, 2014	12,527,804
accrued interest	57,381
Average Capital	12,636,449
Total Gain	148,023
<b>IRR 2014</b>	1.35%
<b>Total Return</b>	6.89%
Current Yield	2.19%

## **Investment Performance Comparison**

	IRR	TRA
Account	1.345%	6.89%
ML 1-3 Yr Agency Index	1.320	0.494
ML 1-3 Yr Treasury Index	1.058	0.499
ML 3-5 Yr Agency Index	1.377	1.701
ML 3-5 Yr Treasury Index	1.346	1.546

WAL of portfolio is 2.46 years

**MISSISSIPPI TORT CLAIMS FUND  
INVESTMENT POLICY  
SEPTEMBER 2014**

**Statement of Investment Objectives**

The Tort Claims Fund was created under MISS. ANN. CODE §11-46-17. The Tort Claims Board authorized the State Treasurer to prudently invest the assets of the Trust pursuant to MISS. ANN. CODE §27-105-33. The State Treasurer may choose to hire investment advisors. The purpose of this document is to delineate guidelines for these outside managers.

The assets of the Trust are to be invested only in fixed income securities. The various types of securities are restricted to those securities listed in the above mentioned legislation. The State Treasurer within his/her discretion may further limit the type and class of security. The State Treasurer will notify the investment manager(s) in writing in the event it further limits the type and class of security. The State Treasurer wishes all outside managers to be sensitive to the following:

1. All monies in the fund may be expended by the Mississippi Tort Claims Board for any and all purposes for which the Board is authorized to expend funds under the provisions of the law.
2. The principal of the Trust shall be invested as provided by the above mentioned legislation.
3. The Fund's income may be appropriated by the Mississippi Legislature.
4. Earnings from investment funds shall be net of fees.
5. Management fees shall be paid quarterly based on market value.
6. In providing asset management services to the Trust, managers should remain mindful that they are investing on behalf of a public trust fund and are expected to comply fully with this Investment Policy at all times. To that end, they are expected to manage risk of the Trust relative to the benchmark and always in a fiduciary capacity. Violation of Investment Policy restrictions may result in immediate termination of the investment management relationship.

**Review of Investment Manager Procedures**

The schedule for the Review is as follows:

- A. Performance evaluation reviews will be conducted quarterly and policy compliance reviews will be conducted monthly.



- B. Each investment manager is expected to make a formal presentation to the Tort Claims Board at the bi-monthly Board meeting in Jackson, Mississippi.
- C. Each investment manager is expected to make a formal presentation annually in Treasury offices located in Jackson, Mississippi.
- D. Representatives of the State Treasury or Tort Claims Board may elect to visit investment managers periodically at the manager's place of business.
- E. Investment managers may be asked to attend special meetings during the review process.

The performance evaluations will include the following general areas:

- A. The investment manager's adherence to the policy guidelines (i.e. their current performance versus expectations).
- B. The opportunities available in their sector of the capital markets.
- C. Material changes in the manager's organization such as investment philosophy, personnel changes, acquisitions or losses of major accounts, etc.

#### **Performance Expectations**

Listed below are the guidelines for return targets. These targets are expected to be achieved without exceeding the risk (as defined in Item B of this section) of the benchmark.

The performance standards over a three-year period are as follows:

- A. Exceed the performance of the Custom Benchmark gross of management fees:
  - Blended 70% of the BofA Merrill Lynch 3-5 Year Agency index and 30% of the BofA Merrill Lynch 3-5 Year MBS index.
- B. The risk associated with the manager's portfolio as measured by the variability of quarterly returns (standard deviation), must not exceed that of the above-mentioned index.

#### **Portfolio Requirements**

- 1. Minimum **10 percent** of the total portfolio must be in direct U.S. Treasury Obligations.
- 2. Maximum weighting in the MBS/CMO sector is not to exceed **30 percent** of the total portfolio.
- 3. The maximum maturity of a single issue (excluding MBS/CMO issues) shall not exceed **10 years**.

4. The weighted average life of the total portfolio shall not exceed **3.5 years**.
5. For MBS/CMO issues, the final maturity of any issue shall not exceed **30 years** from the date of issuance and the weighted average life shall not exceed **5 years**. Underlying collateral of any CMO issue should be limited to conventional mortgage loans issued by GNMA, FNMA, FHLMC or other government Agency issuers. For MBS and CMO issues, whole-loan or private-label mortgage issuers are not permitted in the portfolio.

### **Allowable Investments**

The following represents a listing of allowable investments:

1. Bonds, notes, bills, debentures and other securities issued by the United States, any federal instrumentality, agency and/or government sponsored enterprise that are fully guaranteed by the United States, any federal instrumentality, agency and/or government sponsored enterprise or repurchase agreements guaranteed by the U.S. government.
2. Mortgage-backed pass-through securities (MBS) and collateralized mortgage obligations (CMOs) guaranteed and issued by any federal instrumentality under authority of an Act of Congress such as the Government National Mortgage Association (GNMA), Federal National Mortgage Association (FNMA), and Federal Home Loan Mortgage Corporation (FHLMC).
3. Other investments may be added from time to time as determined by the Mississippi State Legislature and approved by the State Treasurer's office. The State Treasurer will notify the investment manager(s) in writing if any such other investments are added.

### **Reporting Requirements**

1. Managers will be expected to provide monthly statements and more comprehensive quarterly reports. Quarterly reports should provide a market overview, portfolio statistics, policy compliance, and returns for the quarter, fiscal year-to-date, calendar year-to-date, 1-year, 3-year (annualized), 5-year (annualized), and since inception (annualized), as well as a list of holdings as of quarter-end. Portfolio statistics should be presented in comparison to the index.

### **Restrictions**

The following restrictions are applicable:

1. The assets of this Trust cannot be commingled in investments such as mutual funds.
2. Neither futures nor options will be allowed.

3. No derivatives will be allowed.
4. No mortgage-backed securities other than those stated in Item 2 in the Allowable Investments section.
5. No reverse mortgage securities will be allowed.

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Lynn Fitch  
State Treasurer

---

Date

# MISSISSIPPI

## Joint Legislative Budget Committee



TATE REEVES  
Lieutenant Governor  
SENATOR TERRY W. BROWN  
President Pro Tempore  
SENATOR EUGENE S. CLARKE  
Chairman, Appropriations Committee  
SENATOR JOEY FILLINGANE  
Chairman, Finance Committee  
SENATOR TERRY C. BURTON  
Chairman, Universities and Colleges Committee  
SENATOR DEAN KIRBY  
Chairman, Public Health and Welfare Committee  
SENATOR WILLIE SIMMONS  
Chairman, Highways and Transportation Committee


Chairman  
PHILIP GUNN, SPEAKER OF THE HOUSE

DEBBIE RUBISOFF, DIRECTOR  
Legislative Budget Office

501 North West Street, Suite 201-B  
Jackson, Mississippi 39201  
601-359-1580 FAX 601-359-1629

PHILIP GUNN  
Speaker of the House  
REPRESENTATIVE GREG SNOWDEN  
Speaker Pro Tempore  
REPRESENTATIVE HERB FRIERSON  
Chairman, Appropriations Committee  
REPRESENTATIVE JEFFERY C. SMITH  
Chairman, Ways and Means Committee  
REPRESENTATIVE ANGELA COCKERHAM  
Chairman, Energy Committee  
REPRESENTATIVE JOHN L. MOORE  
Chairman, Education Committee  
REPRESENTATIVE PRESTON E. SULLIVAN  
Chairman, Agriculture Committee

To: State Agencies and Institutions

From: Debbie Rubisoff, Director 

Re: FY 2016 Budget Request Summary

Date: August 7, 2014

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The Joint Legislative Budget Committee hearings for the FY 2016 budget cycle are scheduled to occur September 30<sup>th</sup> through October 3<sup>rd</sup>. (Please mark these dates on your calendar.) In order to determine who will be heard, the committee would like to review summary information regarding the FY 2016 budget requests prior to contacting agencies to set up a hearing time.

Please submit this information in PDF format (using the following order) via email to [abrs@lbo.ms.gov](mailto:abrs@lbo.ms.gov) no later than August 22<sup>nd</sup>. In the subject line of the email please be sure to reflect your agency name followed by the word "hearing" and your agency's LBO file number (Example: Audit Hearing 155-00)

If you have questions regarding this request, please contact your budget analyst. Thank you for your assistance in the project.

Please answer the following questions and realize that your answers need to be concise and to the point:

Agency Name: \_\_\_\_\_

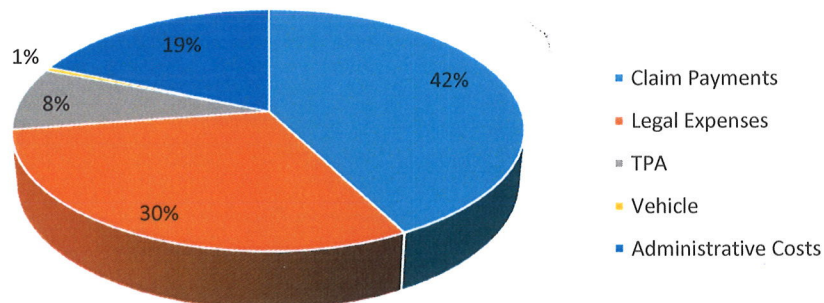
1. On what did you spend your money last year? Provide us with a detailed breakdown showing where the money went.

**Agency Name: Mississippi Tort Claims Board (162-00)**

1. On what did you spend your money last year? Provide us with a detailed breakdown showing where the money went.

Salaries	\$509,294	
Travel	\$970	\$640 out-of-state, \$330 in-state
Contractual	\$1,600,759	Includes:
		\$1,123,736 Legal Services & Expenses
		\$ 312,468 Third Party Administrator
		\$ 19,600 Actuary
		\$ 76,492 Outsourced IT
		\$ 47,556 Rent, office space
		\$ 7,260 Rent, copier
		\$ 2,877 Telephone & Long Distance
		\$ 1,110 Employee Training & Tuition
		\$ 6,390 Agency fees (SPB, MMRS, ITS)
		\$ 3,270 other contractual services
Commodities	\$7,893	Includes:
		\$3,974 for fuel and battery for vehicle
		\$2,207 Printing, Office Supplies & Materials
		\$1,712 Office Furniture & Equipment
Equipment	\$4,898	Replacement desktop computers (5)
Vehicle	\$18,200	2015 Ford Fusion replaces 2010 Ford Fusion with over 120,000 miles
Subsidies, Loans & Grants	\$1,577,405	Tort Claims
	\$3,719,419	

**Mississippi Tort Claims Fund**  
FY2014 Expenditures



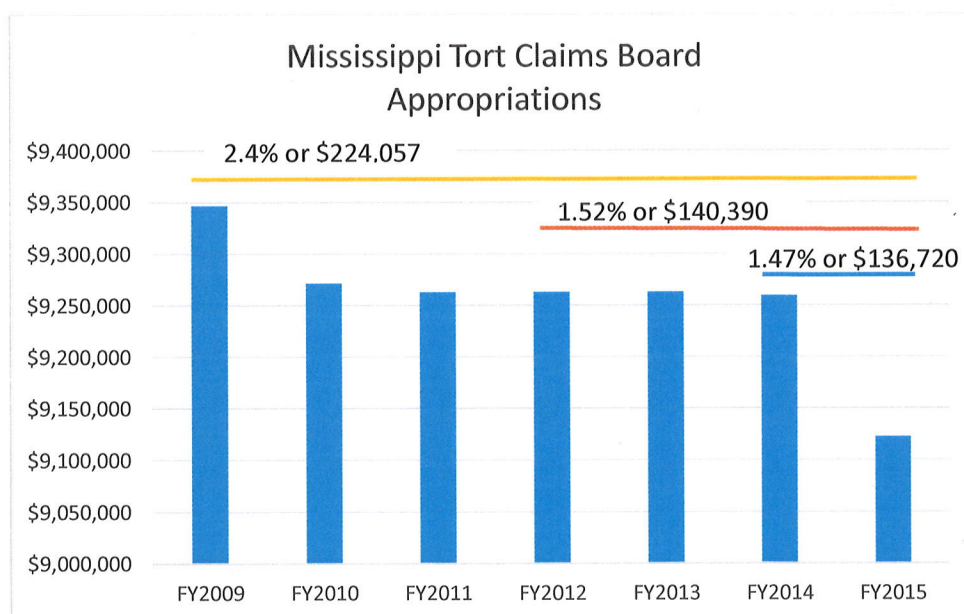
**2. What did your agency accomplish through the expenditure of these funds? What goals were achieved?**

The mission of the Mississippi Tort Claims Board is to provide administrative and technical support for the equitable settlement and payment of claims for injury or damage arising out of the torts of governmental entities and their employees while acting within the course and scope of their employment. We do this through management of the Tort Claims Fund, legal defense of litigated claims, establishment and maintenance of safety and loss control programs, and oversight of liability coverage plans of all political subdivisions. 81% of our expenditures tie directly to the investigation and settlement of claims, legal defense of litigated claims, and safety and loss control programs. The remaining 19% represents salaries and other administrative/overhead expenses – a rate much lower than commercial liability programs – necessary to provide these services as well as the oversight for political subdivision liability plans.

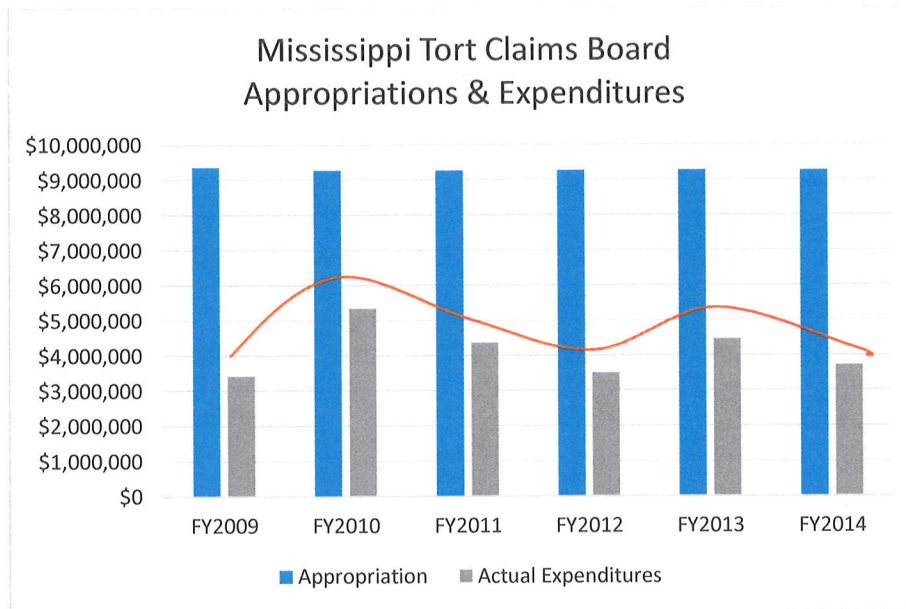
**3. How were the taxpayers positively impacted through the expenditure of these funds? What benefits did the taxpayers receive through the expenditure of these funds?**

The main elements of our mission – equitable settlement of claims, legal defense of litigated claims, establishment and maintenance of safety and loss control programs, and the oversight of political subdivision liability plans – all benefit taxpayers either directly or indirectly. Each element seeks to protect the safety of the taxpayers or support the public good.

**4. What is the numeric and percent change in your budget over the past year (FY 2014 to 2015); past three years (FY 2012-2015); and since FY 2009 (FY 2009-2015)? Explain actual spending and break down by funding source (General Fund, Federal Funds, etc.).**







While appropriations have been fairly constant, actual expenditures have fluctuated over the last six fiscal years between \$3.4 million and \$5.4 million. However, you cannot look at this graph and think the appropriation can be reduced down to the actual expenditure level. With claims, there is always a level of reserves – an amount set aside for claims you have received but not yet paid. In addition, litigation and the legal expenses associated are unpredictable. Adequate budget authority must be in place to cover both reserves and the encumbrance of legal services.

The Mississippi Tort Claims Board is a 100% Special Fund agency. We are funded through the assessment of State agencies. Each assessment is actuarially calculated and agency-specific based on their potential for loss (payroll) and their loss history.

**5. When was the last time you requested level funding?**

The Mississippi Tort Claims Board has requested level funding every year for the last five fiscal years.

**6. How many employees (not authorized positions) does your agency have, and how does this compare to the number of employees in the last fiscal year (FY 2014) and three years ago (FY 2012)?**

The Mississippi Tort Claims Board has 8 employees (which does correspond to our number of authorized positions). This number has not changed since FY 2010.

- 7. What steps is your agency taking to prepare for “performance based budgeting”? Legislative leadership unveiled their plan for implementation and goals over the summer, so what direction are you moving to position your agency for that important transition?**

The Mississippi Tort Claims Board has been working to improve its data management systems which will allow for better data collection. Staff has begun dialog regarding goals and benchmarks and how to effectively measure what we do.

- 8. In addition to our new ways of evaluating agency performance; likewise, we are also evaluating our current budgeting procedure. In your opinion, are there improvements we can make to the budgeting process (new technology, hearing schedules, etc.)?**

Technology and timing changes could improve the current process. Because much of the data needed is already available in transparency and in the new MAGIC system, the integration of these systems would make the process much more efficient. In addition, moving the deadline back to September 1 - so that actual expenditures are truly indicative of what you spent during the fiscal year, including the lapse period – would be beneficial for comparison purposes.

- 9. Have you done any type of program audits within your agency to determine their functionality, success, or failure? How many programs are housed and managed within your agency? What is your most successful program? What is your least successful program?**

Just as the State Auditor's Office audits records on occasion, we too audit claims and the processes associated with them for accuracy, efficiency, and outcome. Currently, a Claims Audit is scheduled for mid-November. We also periodically review internal processes and look for ways to improve functionality. The Mississippi Tort Claims Board is a single program agency.

- 10. Legislative leaders have worked diligently to sharpen our pencils in order to make sure we continue to fund priorities and get more for the money we spend. What type of measures has your agency taken to ensure accountability and to maximize efficiencies?**

The Mississippi Tort Claims Board takes very seriously the commitment to managing and expending public funds. The Tort Claims Fund is assessed annually by an actuary not only to ensure proper funding levels but also to look at trending levels that could affect the Fund's future status. As mentioned in the question above, we do audit claim files and internal processes to assess our performance as well.



- 11. Over the past 5 years (FY 2010-2015), how much have your costs risen as it relates to state health insurance and the employer contribution for PERS?**

See DFA agency response.

- 12. Speaking of health insurance, what impact – in terms of increased costs, increased regulatory burdens, or both – has Obamacare had on your agency?**

See DFA agency response.

- 13. Are there any state statutory or regulatory changes that would help your agency operate more efficiently and spend taxpayer dollars more wisely? Are there regulations coming from federal agencies that are affecting your budget? Explain what those changes are and how they would help your agency.**

The effects of judicial interpretation of the Mississippi Tort Claims Act (MS Code 11-46-1 et seq) are eroding the exemptions of the State as originally set by the Legislature and placing unreal expectations on those responsible for maintaining State roads, those pursuing fleeing criminals, and other State employees. As these exemptions are eroded, the Fund and State agencies are left to bear the financial brunt. We hope to work with the Legislature – as the State's policy-making body – in this next Session to clarify their intent as to the State's exemption to liability in certain situations.

- 14. How many vehicles did you purchase last fiscal year when the moratorium was lifted? Was the vehicle(s) a replacement? What does it cost to service, fuel and maintain those vehicles? How many vehicles has your total fleet reduced by as a result of the 2012 Moratorium that included fleet reduction?**

In FY 2014, the Mississippi Tort Claims Board purchased a 2015 Ford Fusion to replace a 2010 Ford Fusion with over 120,000 miles. We spent \$4,249 on fuel, service, and maintenance on the vehicle in FY 2014 and have spent an average of \$4,180 each year over the last three fiscal years. Our "fleet" is composed of this one vehicle.

- 15. What is the total amount of pay raises that your agency has given employees in the past three fiscal years (FY 2012-2015)? Explain whether those raises were given to rank-and-file employees or agency leadership, as well as what criteria was used to give such raises.**

FY 2012 – Educational benchmark for employee receiving Accounting Degree, \$1,614.17 annually

FY 2015 – Three employees received pay raises based on language in our appropriation bill because they had not received a salary increase since July 1, 2010. Each received a 5% increase and the total was \$8,459.83 annually.

- 16. What does your agency spend on radio/print/television advertising? Do you see the return from that investment? Is it required by law or a choice?**

In the event of a Request For Proposal, we are required by law to place a print ad. Other than that expense, we do not spend any money for radio/print/television advertising.

- 17. In light of recent actions by Congress, or more inaction than action, have you examined your budget when it comes to federal funds and determined what plan of action you would implement if we face another sequestration or just overall failure to fund programs? How well could you absorb cuts and/or redirect resources?**

The Mississippi Tort Claims Board does not have any federal funds.

- 18. This past session we gave the Department of Education exemption from Personnel Board for two years. If your agency were to get the same type of exemption, how do you envision your agency would benefit? Would changes get your agency to “right-size” or do you feel that it is currently operating at the “right-size”?**

This exemption would not be of great benefit because the Tort Claims Board staff is already “right-sized” or perhaps understaffed by one position. If the exemption also meant freedom from compliance rules and the ability to use funds for an additional salary, it *might* be beneficial.

- 19. Does your agency own its own building or do you rent space? How much do you pay in rent/mortgage each month/year? How many square feet per employee does your agency allot? Has your spending on space (rent/mortgage) increased in the last 5 years?**

Our office rents space on the 13<sup>th</sup> floor of the Woolfolk Building. We currently have 3,963 square feet of space – 3,202 sq. ft. of office space and 761 sq. ft. of common space. We pay \$3,963 per month, or \$47,556 per year. We have not had an increase in the last five years.

**20. If a taxpayer wanted to find out more information about your agency, how would they do that (phone number, website, email, etc.)?**

Information is available on our website, or they could contact the Administrator or DFA Office of Communications.

**21. If a taxpayer, member of the media, or other interested party wanted to find out more about your spending, how would they do that? (phone number, website, email, etc.)?**

They would need to contact DFA Office of Communications for more information.

**22. If we are faced with having to fully fund MAEP this year and you are faced with budget cuts, what are you going to cut.**

The Mississippi Tort Claims Board is 100% funded with special funds.

**23. If you were given the option to choose between a 2% increase in your general operations and freedom from the Personnel Board and level funding, what would be the best fit for your agency?**

Because we are already "right-sized" or close to it, the 2% increase would be the best fit for our agency.

**24. If you are requesting an increase in funding this year, please answer the following questions:**

- a. How much more money are you requesting this year?**
- b. Why are you requesting more money? On what will you spend these additional dollars?**
- c. What is your proposed source of funding for these additional dollars?**
- d. What does your agency expect to accomplish through the expenditure of these additional dollars?**
- e. What goals are you trying to achieve through the expenditure of these additional dollars?**
- f. How will the increase in dollars help you achieve these goals?**
- g. What additional benefit do you see coming to the taxpayer through the expenditure of these additional dollars?**
- h. What is your requested travel budget for FY 2016? What is the travel policy for your particular agency? When is the last time you reviewed and/or modified that policy?**

Our budget request is a level request. No additional funding is requested.

**25. If your agency is requesting a deficit appropriation:**

- a. Please explain why the agency is running a deficit.**
- b. Please show why last year's appropriation was insufficient.**
- c. Provide us with a detailed breakdown showing where the money went.**
- d. How many deficit requests have you had in the last three years.**

We have not made a deficit request.

**26. Do you feel you need to make an oral presentation to the JLBC? If so, why? What do you propose to say during the presentation that you feel justifies the need to make an oral presentation?**

We do not need to make an oral presentation.



STATE OF MISSISSIPPI  
GOVERNOR PHIL BRYANT

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Insurance Department  
LYNN FITCH, Treasurer  
Department of Treasury  
JIM HOOD, Attorney General  
Office of Attorney General

GARY RIKARD, Executive Director  
Department of Environmental Quality  
ALBERT SANTA CRUZ, Commissioner  
Department of Public Safety  
KEVIN J. UPCHURCH, Executive Director  
Department of Finance and Administration

MEMORANDUM

**TO:** Mississippi Tort Claims Board  
**FROM:** Steve Milner  
**DATE:** September 11, 2014  
**RE:** Loss Control Report

Since the last Board Meeting, loss control and risk management services for the Tort Claims Board include:

- 19 State Property/Leased Property Inspections
- 2 Defensive Driving Classes
- 2 Pre construction safety meetings
- 6 Risk Management consultations
- 4 Safety Meetings
- 4 Ride-a-longs
- 1 ADA follow up assessment
- 3 Emergency Responses



STATE OF MISSISSIPPI  
GOVERNOR PHIL BRYANT

MISSISSIPPI TORT CLAIMS BOARD

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Department of Environmental Quality  
ALBERT SANTA CRUZ, Commissioner  
Department of Public Safety  
KEVIN J. UPCHURCH, Executive Director  
Department of Finance and Administration

MEMORANDUM

**TO:** Mississippi Tort Claims Board  
**FROM:** Lea Ann McElroy  
**DATE:** September 11, 2014  
**RE:** Additions to Defense Attorney List

**RECOMMENDATION:** Staff recommends approval of (1) attorney for inclusion on Defense Attorney List

W. Lee Watt  
Gibbs Whitwell, PLLC  
1400 Meadowbrook Road, Suite 100  
Jackson, Mississippi 39211

**Gibbs Whitwell & Travis PLLC**  
DEFEND. PROTECT. GROW.

**W. Lee Watt**  
**Email: [lwatt@gibbswhitwell.com](mailto:lwatt@gibbswhitwell.com)**

**Telephone: 601.487.2624**  
**Facsimile: 601.366.4295**

September 2, 2014

Bruce Donaldson  
MS Tort Claims Board  
P. O. Box 267  
Jackson, Mississippi 39205

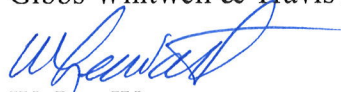
Dear Bruce:

I request to be added to the Mississippi Tort Claims Board's list of approved attorneys. I have over 30 years of litigation experience and in good standing with the Mississippi Bar Association. My resume' is attached for your consideration

I look forward to hearing back from you.

Respectfully,

Gibbs Whitwell & Travis PLLC



W. Lee Watt

WLW:jm  
Enclosure

**W. Lee Watt**  
[LWatt@GibbsWhitwell.com](mailto:LWatt@GibbsWhitwell.com)  
601.487.2624

**Business Address:**

1400 Meadowbrook Road, Suite 100  
Jackson, Mississippi 39211

**Residential Address:**

527 Shalom Way  
Flowood, Mississippi 39232

**Education:**

University of Mississippi – B. Accountancy , 1981  
University of Mississippi – J.D., 1983

**Employment:**

Gibbs Whitwell & Travis, PLLC  
Jackson, MS  
June 2014 to Present

Bennett Lotterhos Sulser & Wilson, P.A.  
Jackson, MS  
January 2010 to May 2014

Brunini, Grantham, Grower & Hewes, PLLC  
Jackson & Pascagoula, MS  
July 2001 to December 2009

Brown, Watt & Buchanan, PA  
Pascagoula & Biloxi, MS  
July 1988 to June 2001

Roberts & Clisby, PA  
Oxford, MS  
January 1984 to June 1988

**Litigation Experience:**

Tried to verdict over 60 cases involving product liability, shareholder rights, eminent domain, banking, employment, annexation, construction, real estate, insurance, civil rights, premises liability and transportation, as well as over twenty (24) years of managing mass tort cases.

**Administrative experience:**

Representation of local governmental entities, including fire, utility and school districts and governmental relations for tax incentives, permitting and litigation matters.

**Commercial experience:**

Mergers & acquisitions, shareholder rights and business origination.

**Memberships:**

The Mississippi Bar, Ethics & Court Liaison and Judicial Administration Committees  
Mississippi Defense Lawyers Association  
American Bar Association, Tort Litigation Committee  
American Institute of Certified Public Accountants  
Jackson County Port Authority, Commissioner, governor appointee



**General narratives:**

Rated AV Preeminent by Martindale-Hubbell

Successfully defended manufacturers and distributors in asbestos litigation since 1990.

Successfully defended product liability, premises, Title VII, bad faith and ERISA claims in state and federal courts.

Represented industrial clients in litigation and governmental affairs for environmental permitting matters and remediation efforts.

Served as lead trial counsel in more than 100 eminent cases for pipeline projects covering over 200 miles in Mississippi.

Represented manufacturers and energy companies in mass tort and class actions.

Successfully defended numerous trucking cases in arbitration and state and federal courts.

Served as lead trial counsel in numerous annexation cases.

Successfully prosecuted and defended numerous shareholder and D&O cases involving freeze-out, fraud and corporate mismanagement claims in state and federal courts.

Obtained favorable verdicts in prosecution and defense of construction claims in state and federal courts.

Negotiated sales and acquisitions of numerous small business ventures (annual revenue of \$5,000,000 to \$20,000,000).

Represented various city and county governmental entities, including police, fire and utility districts.

**Representative reported cases:**

*DeJean v. DeJean and Hancock Bank*, 982 So. 2d 443 (Miss. App. 2007) (bank held not liable to co-owner of certificate of deposit)

*Graves v. Dudley Maples, L.P.*, 950 So. 2d 1017 (Miss. 2007) (aff'd creation of prescriptive easement)

*Scruggs, Millette, Bozeman & Dent, P.A. v. Merkel & Cocke, P.A.*, 910 So. 2d 1093 (Miss. 2005) (attorneys held not liable for intentional interference with contract)

*Missala Marine Services, Inc. v. Odom*, 861 So. 2d 290 (Miss. 2003) (minority shareholder entitled to damages for corporate freeze-out)

*Ford v. Destin Pipeline Co., L.L.C.*, 809 So. 2d 573 (Miss. 2000) (eminent domain)

*In re Conservatorship of McGowen*, 752 So. 2d 1078 (Miss. App. 1999) (grantor competent to transfer title in absence of undue influence)

*Dedeaux v. J.I. Case Co., Inc.*, 611 So. 2d 880 (Miss. 1992) (aff'd verdict for backhoe mfg. in wrongful death suit)

*Jackson Cnty. Sch. Bd. v. Osborn*, 605 So. 2d 731 (Miss. 1992) (aff'd mandamus writ against school board)

*Estate of Osborn v. Gerling Global Life Ins. Co.*, 529 So. 2d 169 (Miss. 1988) (direct cause of action against reinsurer available)



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Department of Public Safety  
KEVIN J. UPCHURCH, Executive Director  
Department of Finance and Administration

**MEMORANDUM**

**TO:** Mississippi Tort Claims Board  
**FROM:** Lea Ann McElroy  
**DATE:** September 11, 2014  
**RE:** Political Subdivisions – Certificates of Coverage

**RECOMMENDATION:** Staff recommends approval of 67 political subdivisions shown on attached list.

## **MISSISSIPPI TORT CLAIMS BOARD**

Thursday, September 11, 2014

### Political Subdivisions Recommended for Renewal of Certificate of Coverage

Alcorn County Fire Service  
Baldwyn Public School District  
Banner VFD  
Bobo Bayou Drainage District  
Canton School District  
Carroll County Board of Supervisors  
Cleveland School District  
Copiah Lincoln Community College  
Covington County Board of Supervisors  
DeSoto County School District  
Drainage District #2  
East Jasper School District  
Farmhaven Volunteer Fire Department  
Fenton Volunteer Fire Department  
Forrest County School District  
Forrest General Hospital (includes Highlands Community Hospital)  
Grenada School District  
Harrison County School District  
Hattiesburg Municipal Airport  
Hattiesburg School District  
Holly Springs School District  
Holmes County Board of Supervisors  
Itawamba County School Board  
Jefferson County Board of Supervisors  
Jefferson Davis County School District  
Jones County Board of Education  
Lafayette County Fire District  
Liberty Branch Volunteer Fire Department  
Lone Star Volunteer Fire Department  
Louisville Municipal School District  
Ludlow Volunteer Fire Department  
Marshall County Fire Service  
Marshall County School District  
Mississippi Gulf Coast Community College  
Natchez-Adams School District

NE Calhoun VFD  
North Panola School District  
North Tunica County Fire Protection District  
Northwest Mississippi Community College  
Noxubee County School District  
Okolona Municipal Separate School District  
Oktibbeha County Board of Supervisors  
Palmetto-Old Union Fire Department  
Perry County School Board  
Post 58 Fire Department  
Sabougla VFD  
Saltillo Fire Department  
Saltillo Volunteer Fire Department, Inc.  
Smith County School District  
South Delta School District  
South Lee Volunteer Fire Protection District  
South Panola School District  
Southwest Covington County VFD  
Sunflower County Consolidated School District  
Tate-Panola Drainage District #1  
Tunica County Board of Education  
Union Volunteer Fire Department  
Vicksburg Warren School District  
Walls Fire Department Inc.  
Wayne County Fire  
West Bolivar Consolidated School District  
West Jasper County School District  
West Point City Clerk  
West Tallahatchie School District  
Winona Separate School District  
Yazoo City Public Schools  
Yazoo – MS Delta Levee Board



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Department of Environmental Quality  
ALBERT SANTA CRUZ, Commissioner  
Department of Public Safety

**MEMORANDUM**

**TO:** Mississippi Tort Claims Board  
**FROM:** Bruce Donaldson  
**DATE:** September 11, 2014

William Buckley vs. Mississippi Department of Transportation